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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,706	04/13/2004	Tomotoshi Senoh	086142-0629	2928
22428	7590	12/20/2005		
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				EXAMINER KAYES, SEAN PHILLIP
				ART UNIT 2841 PAPER NUMBER

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/822,706	SENOH ET AL.	
	Examiner Sean Kayes	Art Unit 2841	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 April 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/13/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "C-C" and "D-D" have been used to designate cross sections in figures 2b, 3b, and 6b. Cross section designation can only be done for one picture at a time. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki (US 6323444.)

5. With respect to claim 1, Aoki discloses a device for measuring a weight of a seat, including the weight of an occupant sitting on the seat, the device comprising: a resilient member supported by at least one support point (23, figure 1: The structure is not permanently deformed when a load is placed on it, therefor the structure is resilient); a load sensor supported by a sensor support and in communication with the resilient member and positioned to receive the weight of the seat (54 figure 1 and column 5 lines 51-52). Aoki does not explicitly disclose wherein the device is configured so that the weight of the seat is applied between the at least one support point and the sensor point.

At the time of the invention it would have been obvious to one skilled in the art to switch the position at which the weight of the seat acts, from one pin to the other. Such a change would be a mere rearrangement of parts.

The suggestion or motivation for doing so would be to change to apply a different force at the sensor position. This would allow the invention to adjust the force applied at the sensor position to be within an ideal range.

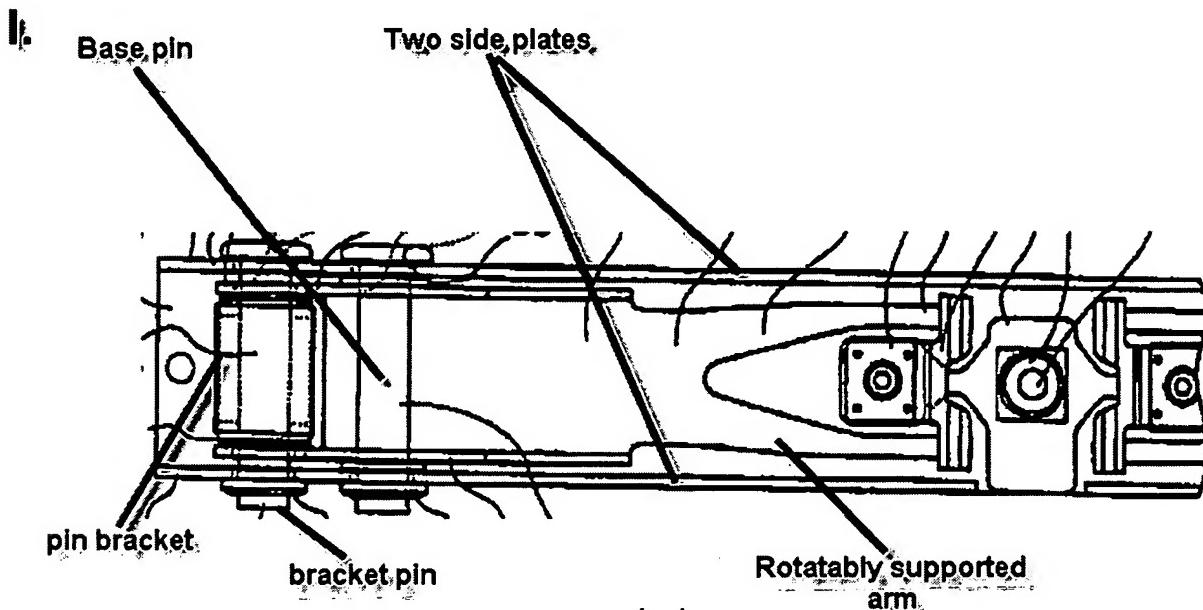
6. With respect to claim 2, Aoki discloses the device of claim 1 (see 103 rejection above), wherein the resilient member is single acting part (item 23 figure 4, the resilient member is one piece and is acting as one part.)

7. With respect to claim 3, Aoki discloses the device of claim 1 (see 103 rejection above), wherein the resilient member has two acting parts (23 figure 4, the resilient member has two end pieces, each of which is an acting member.)
8. With respect to claim 4, Aoki discloses the device of claim 1 (see 103 rejection above), further comprising a pin bracket in communication with the seat and the resilient member (25 figure 4.)
9. With respect to claim 5, Aoki discloses the device of claim 4 (see 103 rejection above), wherein the pin bracket of the present invention is rotatably supported by a base pin (figure 4 and column 2 lines 25-30.)
10. With respect to claim 6, Aoki discloses the device of claim 5 (see 103 rejection above), wherein the pin bracket transmits the seat weight to the bracket pin (figures 1, 4, and column 7 lines 28-30, the weight is transmitted to the arm through the bracket pin, by way of the pin bracket.)
11. With respect to claim 7, Aoki discloses a device for measuring seat weight including the weight of an occupant sitting on the seat, the device comprising: a base having two side plates (see picture I. provided below); an arm rotatably supported by and interdisposed between the side plates of the base via a base pin (see picture I. provided below, and item 31 figure 4); a pin bracket in communication with the arm via a bracket pin and further in communication with the seat (see picture below, and items 25 and 27 figure 4); a load sensor in communication with the arm; and wherein the pin bracket is located between the base pin and the load sensor. Aoki does not explicitly

disclose wherein the device is configured so that the weight of the seat is applied between the at least one support point and the sensor point.

At the time of the invention it would have been obvious to one skilled in the art to switch the position at which the weight of the seat acts, from one pin to the other. Such a change would be a mere rearrangement of parts.

The suggestion or motivation for doing so would be to change to apply a different force at the sensor position. This would allow the invention to adjust the force applied at the sensor position to be within an ideal range.



12. With respect to claim 8, Aoki discloses the device of claim 7 (see 103 rejection above), wherein the arm comprises a single acting part (item 23 figure 4, the resilient member is one piece and is acting as one part.)

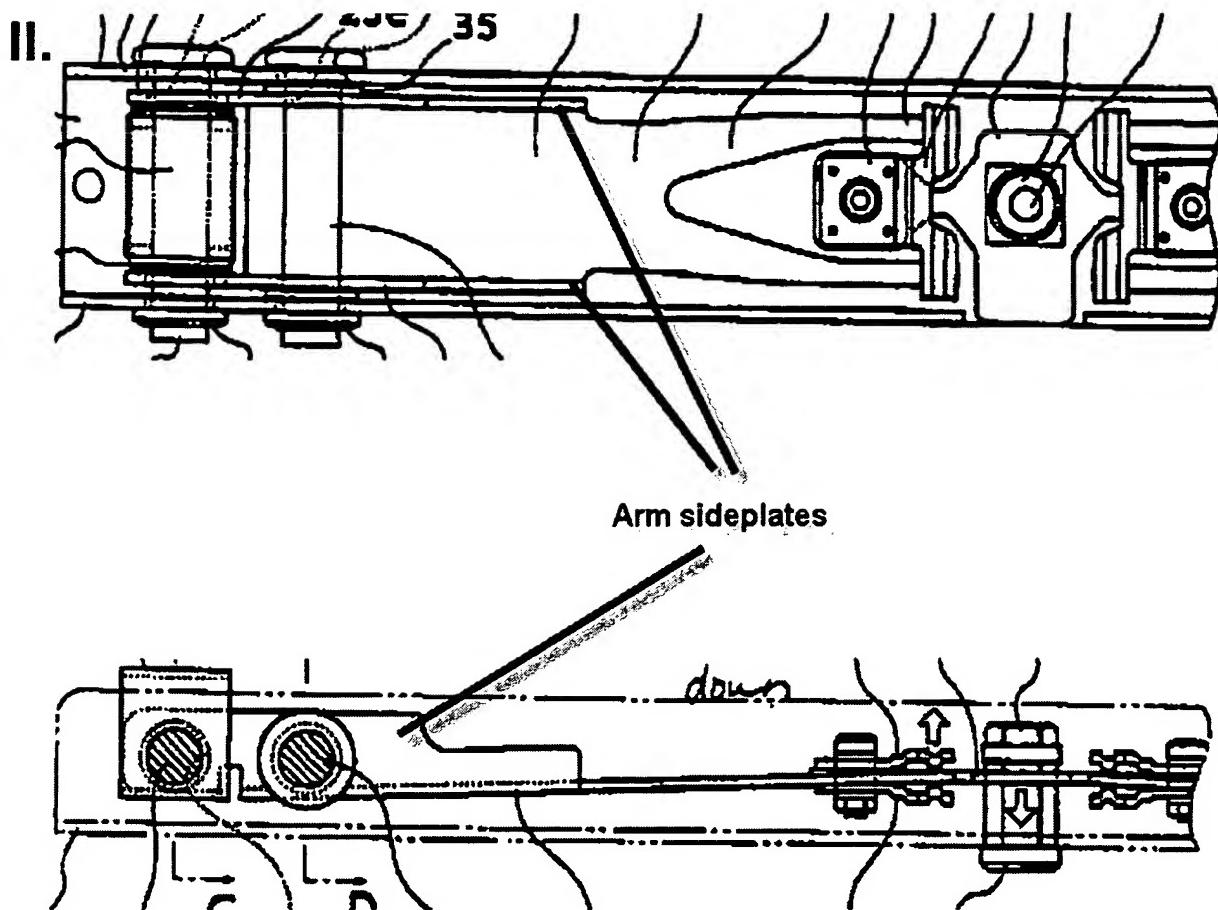
Art Unit: 2841

13. With respect to claim 9, Aoki discloses the device of claim 7 (see 103 rejection above), wherein the arm comprises two acting parts (23 figure 4, the resilient member has two end pieces, each of which is an acting member.)

14. With respect to claim 10, Aoki discloses the device of claim 7 (see 103 rejection above), wherein the pin bracket of the present invention is rotatably supported by the base pin ((figure 4 and column 2 lines 25-30 and see picture I. provided above.)

15. With respect to claim 11, Aoki discloses the device of claim 10 (see 103 rejection above), wherein the pin bracket transmits the seat weight to the bracket pin (figures 1, 4, and column 7 lines 28-30, the weight is transmitted to the arm through the bracket pin, by way of the pin bracket.)

16. With respect to claim 12, Aoki discloses the device of claim 7 (see 103 rejection above), wherein the arm comprises two arm sideplates (see picture II. provided below.)



17. With respect to claim 13, Aoki discloses the device of claim 12 (see 103 rejection above.) Aoki does not explicitly disclose a spring leaf interdisposed between the two arm side plates.

At the time of the invention it would have been obvious to one skilled to one skilled in the art to replace the springs in Aoki's invention with leaf springs.

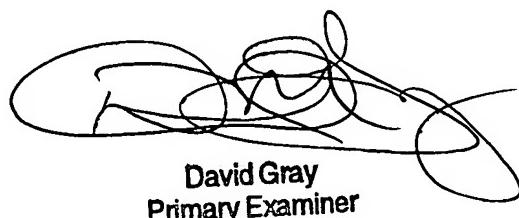
The suggestion motivation for doing so would be to increase longevity of the springs. Leaf springs are less subject to deformation due to continuous load as are traditional springs.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A handwritten signature in black ink, appearing to read "DAVID GRAY". Below the signature, the name "David Gray" is printed in a standard font, followed by "Primary Examiner" in a smaller font.

12/08/2005  
SK